

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

<b>OLIVIA Y., et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>3:04-CV-251-HSO-FKB</b>
	)	
<b>TATE REEVES, as Governor of the</b>	)	
<b>State of Mississippi, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**DECLARATION OF MARCIA ROBINSON LOWRY**

Marcia Robinson Lowry, an attorney of record in this civil action, makes this declaration under penalty of perjury and under 28 U.S.C. § 1746.

1. I am a member of the Bar of New York and admitted to practice in this Court *pro hac vice*. I am lead counsel for the Plaintiff Class in this case along with local counsel, Wayne Drinkwater and Michael Bentley, of the firm of Bradley Arant Boult Cummings LLP. I am the Executive Director of A Better Childhood (“ABC”). I give this Declaration in support of Plaintiffs’ Motion For Award of Class Counsel’s Fees and Expenses.
2. On July 27<sup>th</sup>, 2022, at 2:51 p.m. CST, Defendants’ counsel sent me an electronic mail message stating that “the check in the amount of \$29,500.68 for Invoice #52 is being mailed out to you today.” *See Attachment 1.*

**EXHIBIT  
A**

3. Shortly thereafter, our local counsel filed the Motion for Attorneys' Fees and Expenses at around 4:43 p.m. CST, before we were able to communicate this message to them.

4. On August 4, 2022, my operations manager, Erica Comm, deposited Defendants' payment.

5. Attached hereto, as Attachment 1, is an electronic mail correspondence between ABC and Defendants' counsel, Clint Pentecost, regarding Defendants' notice that a check would be mailed later that day, which we received on July 27<sup>th</sup>, 2022, at 2:51 p.m. CST.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 17<sup>th</sup> day of August 2022 in Chappaqua, New York

*/s/ Marcia Robinson Lowry*  
Marcia Robinson Lowry (*pro hac vice*)  
Attorney for Plaintiffs

**Subject:** RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021  
**Date:** Wednesday, July 27, 2022 at 3:51:46 PM Eastern Daylight Time  
**From:** Pentecost, Clint  
**To:** Anastasia Benedetto  
**CC:** Jonathan Borle, Marcia Lowry  
**Attachments:** image001.jpg, image002.png, image003.png, image004.png, image005.png

Anastasia,

I just received notice that the check in the amount of \$29,500.68 for Invoice #52 is being mailed out to you today.

**Clint Pentecost**

Of Counsel  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
Direct: 601.351.2452  
E-mail: [cpentecost@bakerdonelson.com](mailto:cpentecost@bakerdonelson.com)

---

**From:** Anastasia Benedetto <[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)>  
**Sent:** Wednesday, June 22, 2022 8:26 AM  
**To:** Pentecost, Clint <[CPentecost@bakerdonelson.com](mailto:CPentecost@bakerdonelson.com)>  
**Cc:** Jonathan Borle <[jborle@abetterchildhood.org](mailto:jborle@abetterchildhood.org)>; Marcia Lowry <[mlowry@abetterchildhood.org](mailto:mlowry@abetterchildhood.org)>  
**Subject:** Re: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Thank you, **Clint**. We will be submitting this motion to the court shortly.

Best,

**Anastasia Benedetto**

Staff Attorney  
[A Better Childhood](http://A Better Childhood)  
[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)  
646-477-1781

---

**From:** "Pentecost, Clint" <[CPentecost@bakerdonelson.com](mailto:CPentecost@bakerdonelson.com)>  
**Date:** Monday, June 20, 2022 at 11:35 AM  
**To:** Anastasia Benedetto <[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)>  
**Cc:** Jonathan Borle <[jborle@abetterchildhood.org](mailto:jborle@abetterchildhood.org)>, Marcia Lowry <[mlowry@abetterchildhood.org](mailto:mlowry@abetterchildhood.org)>  
**Subject:** RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Anastasia,

Please see the attached.

**Clint Pentecost**

Of Counsel  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
Direct: 601.351.2452  
E-mail: [cpentecost@bakerdonelson.com](mailto:cpentecost@bakerdonelson.com)

---

**From:** Anastasia Benedetto <[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)>  
**Sent:** Monday, June 6, 2022 3:45 PM



**To:** Pentecost, Clint <[CPentecost@bakerdonelson.com](mailto:CPentecost@bakerdonelson.com)>  
**Cc:** Jonathan Borle <[jborle@abetterchildhood.org](mailto:jborle@abetterchildhood.org)>; Marcia Lowry <[mlowry@abetterchildhood.org](mailto:mlowry@abetterchildhood.org)>  
**Subject:** Re: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Clint,

Please see attached letter. As always, we are available to discuss further.

Best,  
**Anastasia Benedetto**  
Staff Attorney  
[A Better Childhood](http://www.abetterchildhood.org)  
[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)  
646-477-1781

---

**From:** "Pentecost, Clint" <[CPentecost@bakerdonelson.com](mailto:CPentecost@bakerdonelson.com)>  
**Date:** Thursday, April 28, 2022 at 5:04 PM  
**To:** Anastasia Benedetto <[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)>  
**Cc:** Jonathan Borle <[jborle@abetterchildhood.org](mailto:jborle@abetterchildhood.org)>, Marcia Lowry <[mlowry@abetterchildhood.org](mailto:mlowry@abetterchildhood.org)>  
**Subject:** RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Anastasia,  
Please see the attached letter.

**Clint Pentecost**  
Of Counsel  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
Direct: 601.351.2452  
E-mail: [cpentecost@bakerdonelson.com](mailto:cpentecost@bakerdonelson.com)

---

**From:** Anastasia Benedetto <[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)>  
**Sent:** Friday, April 15, 2022 12:08 PM  
**To:** Pentecost, Clint <[CPentecost@bakerdonelson.com](mailto:CPentecost@bakerdonelson.com)>  
**Cc:** Jonathan Borle <[jborle@abetterchildhood.org](mailto:jborle@abetterchildhood.org)>; Marcia Lowry <[mlowry@abetterchildhood.org](mailto:mlowry@abetterchildhood.org)>  
**Subject:** Re: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Clint,

Please see the attached letter. We are available to discuss, should you wish to do so.

Have a nice weekend,  
Anastasia

**Anastasia Benedetto**  
Staff Attorney  
[A Better Childhood](http://www.abetterchildhood.org)  
[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)  
646-477-1781

---

**From:** "Pentecost, Clint" <[CPentecost@bakerdonelson.com](mailto:CPentecost@bakerdonelson.com)>  
**Date:** Friday, February 25, 2022 at 5:22 PM  
**To:** Anastasia Benedetto <[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)>  
**Cc:** Jonathan Borle <[jborle@abetterchildhood.org](mailto:jborle@abetterchildhood.org)>, Marcia Lowry <[mlowry@abetterchildhood.org](mailto:mlowry@abetterchildhood.org)>  
**Subject:** RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Anastasia,  
Please see the attached. If you would like to discuss, please let me know.

**Clint Pentecost**  
Of Counsel  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
Direct: 601.351.2452  
E-mail: [cpentecost@bakerdonelson.com](mailto:cpentecost@bakerdonelson.com)

---

**From:** Anastasia Benedetto <[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)>  
**Sent:** Wednesday, February 9, 2022 3:55 PM  
**To:** Pentecost, Clint <[CPentecost@bakerdonelson.com](mailto:CPentecost@bakerdonelson.com)>  
**Cc:** Jonathan Borle <[jborle@abetterchildhood.org](mailto:jborle@abetterchildhood.org)>; Marcia Lowry <[mlowry@abetterchildhood.org](mailto:mlowry@abetterchildhood.org)>  
**Subject:** Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Clint,

Please see attached fee application for the period of July 1, 2021 – December 31, 2021.

Thanks,  
**Anastasia Benedetto**  
Staff Attorney  
[A Better Childhood](http://abetterchildhood.org)  
[abenedetto@abetterchildhood.org](mailto:abenedetto@abetterchildhood.org)  
646-477-1781



**Stay Connected:**



This email and any attachments may contain confidential and privileged information.

If you are not the intended recipient, please notify the sender immediately, destroy this email, and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

NOTICE: This electronic mail transmission with any attachments may constitute an attorney-client communication, protected health information (PHI) or other confidential information that is in fact confidential, legally protected from disclosure and/or protected by the attorney-client privilege. If you are the intended recipient, please maintain confidentiality and be aware that forwarding this e-mail to others may result in a waiver of these protections and privileges and regardless electronic communications may be at times illegally accessed and viewed. If you are not the intended recipient, this e-mail is not intended for transmission to you, nor to be read, reviewed, used, distributed or even received by you or any other unauthorized persons. If you have received this electronic mail transmission in error, please double delete it from your system immediately without copying, reading or disseminating it, and notify the sender by reply e-mail, so that our address record can be corrected. Thank you very much.